

REMARKS

Applicants would like to thank Examiners Satish Chandra and Jeffrey Lund for their courtesy extended to Applicants' counsel during the Telephone Interview on October 16, 2008. From the Interview, the Examiners and Counsel agreed that the Non-Final Office Action dated July 22, 2008 failed to consider Applicants' Preliminary Amendment of April 24, 2006. Therefore, a new non-final Office Action was agreed to be sent in view of Applicants' responses to these rejections.

By this Response, claims 1-3 are canceled. Claim 8 has been amended. No statutory new matter has been added. Support for all claim amendments can be found in the disclosure as originally filed.

Restriction/Election

In view of the Interview of October 16, 2008, Applicants respectfully request reconsideration of the Restriction Requirement dated March 25, 2008. Namely, given that the claims as revised in the Preliminary Amendment were not considered, Applicants solicit reconsideration of whether ALL of claims 1-12 fulfill the Unity Standard so as to form a single general inventive concept under PCT Rule 13.1. As such, Applicants kindly request withdrawal of the Restriction requirement, if the Examiner agree that the claims do in fact pertain to a single general inventive concept.

Claim Rejections – 35 U.S.C. § 112, second paragraph

Claim 8 stands rejected under 35 U.S.C. § 112, second paragraph, for lack of antecedent basis. The rejection as to claim 8 is traversed.

First, Applicants point of claim 8 does not recite "fourth flange". Therefore, the antecedent basis rejection as to "fourth flange" is considered moot. Second, Applicants have appropriately amended claim 8 with regard to the "third flange" and the "third and fourth O- rings", *supra*. In view of the foregoing, Applicants respectfully request withdrawal and reconsideration of the rejection as to claim 8.

Claim Rejections 35 U.S.C. § 103(a)

I. Claims 1-4 stand rejected as being unpatentable over Okase (US 5,329,095) in view of Shimazu et al. (US 5,283,175). The rejection as to claims 1-3 is moot due to claim cancelation. The rejection as to claim 4 is traversed.

Initially, Applicants urge that neither Okase nor Shimazu '175 teaches or suggests the "outer lid part made of a metal that covers an outside surface of the inner lid part". In particular, FIG. 2 of Okase discloses the upper surface of the lower lid surface **26d only beneath** the lower surface of the upper lid surface **26b**. Regarding Shimazu, the inner lid **6** is oriented above outer lid **58** such that only part of the side wall of upper lid **6** is covered. Because neither reference provides an outer lid surface that covers an outside surface of the inner lid part, claim 4 is structurally distinguishable thereover. Moreover, one of ordinary skill would not have found Applicants' structure of claim 4 obvious over Okase in view of Shimazu '175. This is only a first reason why claim 4 patentably distinguishes thereover.

Next, pursuant to the phone interview on October 16, 2008, Applicants respectfully submit that Okase in view of Shimazu '175 fails to teach or suggest all of the claimed features of claim 4, as provided in the Preliminary Amendment filed April 24, 2006. In particular, Okase in view of Shimazu fail to suggest a composite thermal processing apparatus wherein: (i) a first flange is provided on an outside periphery of the opening part, the first flange being located higher than the lower-end surface of the opening part, (ii) a second flange is provided at an outside periphery of the inner lid part, the second flange is located lower than the upper-end surface of the inner lid part, (iii) a flange holder provided between the first flange and the second flange, and (iv) a channel for vacuuming formed by an inner surface of the flange holder, a lower surface of the first flange, an upper surface of the second flange, an outer surface of the inner lid part from the second flange to the upper-end surface, and an outer surface of the opening part for the lower-end surface to the first flange. One of ordinary skill in the art would not have been led to Applicants' structure of claim 4 obvious from either Okase and/or in view of Shimazu '175. In view of the foregoing, Applicants courteously solicit withdrawal and reconsideration of the rejection as to claim 4.

II. Claim 8 stands rejected as being unpatentable over Okase (US 5,329,095) in view of Shimazu et al. (US 5,283,175) in view of Shimazu et al. (US 6,030,457). The rejection as to claim 8 is traversed.

Regarding claim 8, Applicants submit that the combined references do not teach or suggest the composite structural features of Applicants' invention as provided in claim 8 of the Preliminary Amendment filed April 24, 2006. For instance, none of Okase, or Shimazu '175 or '457 teaches or suggests a longitudinal-type thermal process wherein: (i) a boss part surrounds a rotation shaft that is formed at a central portion of the inner lid part, (ii) a pair of O-rings is provided on the flange between a lower-end surface of the boss part and an upper surface of the flange, which come in contact with each other, and (iii) a gas-discharging hole for vacuuming a space is defined by the lower-end surface of the boss part, the upper surface of the flange, and between the O-rings. Accordingly, the obvious rejection must fail. Thus, claim 8 patentably distinguishes thereover. In view of the foregoing, Applicants courteously solicit withdrawal and reconsideration of the rejection as to claim 8.

CONCLUSION

All of the stated grounds of rejections have been properly traversed, accommodated, or rendered moot. Therefore it is respectfully requested that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-4300, Attorney Docket No. 033082 M 320

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